

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

**CASCADE STEEL ROLLING MILLS,
INC.,**

Plaintiff,

v.

**UNITED STEELWORKERS
INTERNATIONAL
UNION LOCAL 8378,**

Defendant.

Case No. 21-CV-01090-YY

ORDER

Kyle T. Abraham, Ogletree Deakins, 222 SW Columbia Street, Suite 1500, Portland, OR 97201. Paul E. Cirner, Ogletree Deakins Nash Smoak & Stewart P.C., 222 SW Columbia Street, Suite 1500, Portland, OR 97201. Attorneys for Plaintiff.

Danielle Franco-Malone and Kathleen P. Barnard, Barnard Igltzin & Lavitt LLP, 18 W Mercer St, Suite 400, Seattle, WA 98119. Attorneys for Defendant.

IMMERGUT, District Judge.

On August 12, 2022, Magistrate Judge Youlee Yim You issued her Findings & Recommendation (F&R), ECF 36, recommending that Plaintiff's Motion for Summary Judgment, ECF 20, be denied, and Defendant's Motion for Judgment on the Pleadings, ECF 17,

be granted, except that Defendant's request for attorney's fees be denied. No party filed objections.

STANDARDS

Under the Federal Magistrates Act ("Act"), as amended, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge's F&R, "the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act "does not preclude further review by the district judge, *sua sponte*" whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

No party having filed objections, this Court has reviewed the F&R, ECF 36, and accepts Judge You's conclusions. Judge You's F&R, ECF 36, is adopted in full. Accordingly, this Court DENIES Plaintiff's Motion for Summary Judgment, ECF 20, and GRANTS Defendant's Motion for Judgment on the Pleadings, ECF 17, except that Defendant's request for attorney's fees is DENIED. This Court DISMISSES this case with prejudice.

IT IS SO ORDERED.

DATED this 8th day of November, 2022.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge